



## State of Utah

GARY R. HERBERT  
*Governor*

SPENCER J. COX  
*Lieutenant Governor*

## Department of Environmental Quality

Amanda Smith  
*Executive Director*

DIVISION OF DRINKING WATER  
Kenneth H. Bousfield, P.E.  
*Director*

**Drinking Water Board**  
Paul Hansen, P.E., *Chair*  
Betty Naylor, *Vice-Chair*  
Brett Chynoweth  
Tage Flint  
Heather Jackson  
Brad Johnson  
Natasha Madsen  
David Stevens, Ph.D.  
Mark Stevens, M.D.  
Kenneth H. Bousfield, P.E.  
*Executive Secretary*

### MINUTES OF THE DRINKING WATER BOARD MEETING HELD ON NOVEMBER 8, 2013 AT 1:30 P.M. IN SALT LAKE CITY, UTAH

#### BOARD MEMBERS PRESENT

Paul Hansen, Chair  
Betty Naylor, Vice Chair  
Tage Flint  
Heather Jackson  
Brad Johnson  
Natasha Madsen  
David Stevens  
Mark Stevens

#### BOARD MEMBERS EXCUSED

Brett Chynoweth

#### STAFF

Ken Bousfield  
Michael Grange  
Nathan Lunstad  
Rich Peterson  
Gary Kobzeff

#### GUESTS

Dale Pierson, Rural Water Association  
Clyde Watkins, Rural Water Association  
Travis Jockumsen, Payson City  
Brent Arns, Payson City  
David Tuckett, Payson City  
Susan Tuckett, Payson City  
Ted Mickelsen, Jones & DeMille Engineering  
Christian Anderson, Woodland Hills  
Chris Helvey, Woodland Hills City  
Steve Laritsen, Woodland Hills City  
Corbett Stephens, Woodland Hills City  
Erick Johnson, Duchesne County WCD  
Scott Wilson, Duchesne County WCD

#### STAFF Continued

Heather Bobb  
Linda Matulich  
Misty Tabor

#### ITEM NO. 1 – CALL TO ORDER

The Drinking Water Board convened at 1:00 p.m. in Salt Lake City, Utah with Chairman Paul Hansen residing.

#### ITEM NO. 2 – ROLL CALL

Chairman Hansen asked Ken Bousfield to call roll of the Drinking Water Board members. The roll call showed that there were 8 members present. Board member Brett Chynoweth was excused.

### ITEM NO. 3 – INTRODUCTIONS

Chairman Hansen asked the guests to introduce themselves.

### ITEM NO. 4 – APPROVAL OF THE MINUTES

Chairman Hansen stated a motion was in order to approve the Drinking Water Board minutes of August 28, 2013 and October 11, 2013.

**Betty Naylor moved to approve the August 28, 2013 and the October 11, 2013 Drinking Water Board minutes.**

**Tage Flint seconded.**

**CARRIED  
(Unanimous)**

### ITEM NO. 5 - FINANCIAL ASSISTANCE COMMITTEE REPORT

#### 1. Status Report

Michael Grange reported on some of the activities staff have been involved in since the June 13, 2013 Drinking Water Board meeting. There are about 10 projects, they are worth about \$28,000,000, that staff is waiting to close. Some of those are moving quickly, but some of those a little more slowly. But we are working with each of those water systems; 1) to be able to close the loans, and 2) get the money out to improve their infrastructure. The \$28,000,000 is obligated funding, and is in addition to the \$30,000,000 the fund is projected to have by November 1, 2014.

Michael was asked if he felt any reluctance from EPA's part to commit because of central budget cuts, fights, etc. Michael said that EPA can't commit, until a budget or a continuing resolution is passed by Congress. The projected available funds include an anticipated capitalization grant of \$8,500,000 for FY2014. Although it all depends on what Congress decides to do.

#### 2. Project Priority List

We have added two new projects to Project Priority List; Bridge Hollow Water Association is being added to the project priority list as an emergency with 100 points. Their project consists replacing pressure reducing valves have failed in their system.

The Woodland Hills project is being added to the project priority list with 12 points, a new well, a transmission line and a pump.

The Financial Assistance Committee is recommending that the Drinking Water Board approve the updated Project Priority List.

Betty Naylor asked if there were any questions. Hearing none, Betty asked for the motion.

**Heather Jackson moved the Drinking Water Board approve the updated Project Priority List.**

**David Stevens seconded.**

**CARRIED  
(Unanimous)**

3. SRF Applications

a. Woodland Hills

Christian Anderson, Chris Helvey, Steve Laritsen, and Corbett Stephens, representing Woodland Hills, were available for any questions from the Drinking Water Board.

Rich Peterson reported Woodlands Hills is proposing a project to construct a new well and transmission line. The cost of the project is \$920,000. The City plans to contribute \$50,000 towards the project. The system's MAGI is such that they do not qualify for a grant. The recommendation is that the Drinking Water Board authorizes a \$920,000 loan at 2.92% for 20 years with a self-contribution of \$50,000. Conditions include resolving the appropriate issues on their compliance report.

Chairman Hansen asked the representatives if they have reviewed the costs to be sufficient on what all they need to do on their project is sufficient. Chairman Hansen asked they have a contingency, and that they are built into it appropriately.

The representatives answered questions from the Drinking Water Board to them. They told the Drinking Water Board they feel really good about the results of the test.

Betty Naylor asked Rich Peterson about the water bill. Rich reported Woodland Hills is planning to use the numbers proposed by the Division of Drinking Water.

Betty Naylor called for the vote.

**Heather Jackson moved the Drinking Water Board authorize a \$920,000 loan at 2.92% for 20 years with a self-contribution of \$50,000. Conditions include resolving the appropriate issues on their compliance report.**

**Natasha Madsen seconded.**

**CARRIED  
(Unanimous)**

b. Payson City

Travis Jockumsen, Brent Arns, David Tuckett, Susan Tuckett, and Charlotte Susan Tuckett, Payson City residents, were available for any questions from the Drinking Water Board.

Nathan Lunstad reported that Payson City received authorization a few years ago to construct two drinking water storage tanks. They completed that project, and they have received their operating permits. Due to the design-build nature of the project, very favorable bidding and construction conditions and good project management - the City has approximately \$1.1 million remaining from the original SRF authorization.

Payson City has requested the Drinking Water Board authorize a change to the original project scope of work, and allow the City to use the remaining funds to drill and equip a new culinary water supply well.

Staff believes Payson City's request is the most efficient and cost-effective way to proceed. The additional time and cost to both the city and staff to return the remaining money to the fund, as well as to begin the application, authorization, bonding and loan closing process over again is prohibitive and is not the best use of the limited financial assistance available for water system improvement projects. The construction of a new well is included in Payson City's master plan.

Chairman Hansen commended Payson City's on using their money resources wisely. He also stated that the Financial Assistance Committee discussed the options available for the City to proceed with constructing the new well, including cost to Staff and the City if the Drinking Water Board decided to require the City to begin the financial application process all over again. The FAC agreed with the staff recommendation that a Drinking Water Board authorization to modify the original Scope of Work was the best alternative.

Nathan Lunstad stated the Financial Assistance Committee is recommending the Drinking Water Board authorize a change to the November 9, 2011 tank replacement project Scope of Work to allow Payson City to use the remaining SRF financial assistance to drill a new culinary water supply well. All terms and conditions of the original November 9, 2011 authorization remain in effect.

Payson City thanked the Drinking Water Board for their help and assistance.

The Drinking Water Board asked Payson City if they have predetermined where a well may be drilled. Payson City is in the process now of drilling where there way may be a well.

**Chairman Hansen moved the Drinking Water Board authorize a change to the November 9, 2011 tank replacement project to allow the work that Payson City has completed to allow them to use the remaining funds to drill a new culinary replacement well under the same terms and conditions as the original authorization of November 9, 2011 with the understanding that if the costs exceed that balance, that Payson City will pick up the costs.**

**Mark Stevens seconded.**

**CARRIED  
(Unanimous)**

FEDERAL:

a. Duchesne County WCD

Erick Johnson, Scott Wilson and Ted Wilson, representing Duchesne County WCD, were available for any questions of the Drinking Water Board Members.

Gary Kobzeff reported that on September 5, 2013, the Community Impact Board authorized \$29,900,000 to fund their Victory Pipeline Project. The terms of the authorization includes a \$14,950,000 grant and a \$14,950,000 loan at 1.5% interest. The project will be constructed in two phases. Phase one will supply water to the East Duchesne, Johnson and Myton water systems. On multiple times the loan has been reauthorized in order to get all of the funding for the project, which has been a road block for them. With the approval of funding from the Community Impact Board, they will be able to accomplish their project.

Gary Kobzeff mentioned the Financial Assistance Committee's recommendation was that the Drinking Water Board reauthorizes a \$4,000,000 construction loan at 0% interest for 30 years with \$700,000 in principal forgiveness.

Scott Wilson thanked the Drinking Water Board for their historical support of this project.

Betty Naylor asked Scott Wilson about having to go around the tribal lands, since they met last.

Scott Wilson gave some background on the complexities on being in a tight corridor and bypassing tribal territory.

Betty Naylor asked if the Drinking Water Board money was going in with the CIB money on the project.

Scott Wilson said that the Drinking Water Board's money will be used for Phase I of the project.

Chairman Hansen asked about the scope again. You now have the \$34,000,000 for both Phase I and Phase II. When do you expect to be complete with Phase I and start on Phase II?

Ted Mickelsen said the Phase I process is underway. The District is starting to acquire easements, and the engineers are working on the design of the project, and going through the contractor qualification process right now. Construction on Phase I is expected to begin in the first quarter of 2014. While Phase I is being built, work on the design and acquisitions for Phase II will begin. The intent is to just continue on to Phase II when Phase I is complete. The District anticipates completing Phase I around November 2014 and Phase II in 2015.

**Natasha Madsen moved the Drinking Water Board reauthorize a \$4,000,000 construction loan at 0% interest for 30 years with \$700,000 in principal forgiveness.**

**Heather Jackson seconded.**

**CARRIED  
(Unanimous)**

**4. OTHER:**

No other business.

**ITEM NO. 6 – APPROVAL OF THE CROSS CONNECTION CONTROL RULE CHANGES  
R309-305**

Ken Bousfield indicated that the Rule making process for changes to R309-305 Cross Connection Control Rules have run its course and staff recommends that the Board authorize staff to finalize the Rule. Ken indicated that there were no comments received during the comment period.

Chairman Hansen asked the Drinking Water Board if they had any discussion on this agenda item.

**Tage Flint moved the Drinking Water Board authorize staff to proceed with finalizing rulemaking.**

**David Stevens seconded.**

**CARRIED  
(Unanimous)**

**ITEM NO. 7 – APPROVE THE OPERATOR CERTIFICATION COMMISSION RULE  
CHANGES R309-300**

Ken Bousfield indicated that the Rule making process for changes to R309-300 Operator Certification Commission Rules have run its course and staff recommends that the Board authorize staff to finalize the Rule. Ken indicated that there were no comments received during the comment period.

Chairman Hansen asked if there were any comments.

No comments.

**Betty Naylor moved the Drinking Water Board authorization staff to proceed with rulemaking to proceed with finalizing rulemaking.**

**Heather Jackson seconded.**

**CARRIED  
(Unanimous)**

**ITEM NO. 8 - OPERATOR CERTIFICATION COMMISSION ROSTER UPDATE**

Ken Bousfield reported there are several Operator Certification Commission members whose terms have expired or will expire for other members by the end of this calendar year, and where this is the last meeting for this year, it is appropriate to extend their terms.

The following candidates are willing to serve another term:

James Callison from December 31, 2011 to December 31, 2014  
Craig Fahmi from December 31, 2013 to December 31, 2016  
Mark Clark from December 31, 2013 to December 31, 2016 and  
Gary Larsen from December 31, 2013 to December 13, 2016

**Natasha Madsen moved the Drinking Water Board approve the renewal of an additional term for the following members on the Operator Certification Commission: James Callison, 12/31/11 to 12/31/14; Craig Fahmi, 12/31/13 to 12/31/16; Mark Clark, 12/31/14 to 12/31/16; and Gary Larsen, 12/31/13 to 12/31/16.**

**Betty Naylor seconded.**

**CARRIED  
(Unanimous)**

**ITEM NO. 9 – CROSS CONNECTION CONTROL COMMISSION ROSTER UPDATE**

Ken Bousfield reported there are two changes on the Cross Connection Control Commission. They are:

Tim Collings is willing to serve another term. His term expires on December 31, 2013. His new term will be from: December 31, 2013 to December 31, 2015.

Anne Hansen is unable to complete her term ending on December 31, 2014.

Brian Pattee is willing to serve the remainder of Anne's term from December 31, 2013 to December 31, 2014.

**David Stevens made a correction on the Cross Connection Control Commission Roster cover page. Tim Collings expiration date is listed as December 31, 20123. It should read as December 31, 2013.**

**David Stevens moved the Drinking Water Board approve Tim Collings, 12/31/13 to 12/31/15, to serve another term; and Brian Pattee to finish Anne Hansen's term from; 12/31/12 to 12/31/14.**

**Heather Jackson seconded.**

**CARRIED  
(Unanimous)**

**ITEM NO. 10 – DRINKING WATER BOARD'S DRAFT 2014 MEETING SCHEDULE**

Chairman Hansen directed the Drinking Water Board members attention to the amended 2014 Drinking Water Board meeting schedule placed on the table for them. This copy was updated since it was placed in the Drinking Water Board packet.

Chairman Hansen requested changing a date on two of the amended meeting dates for the Drinking Water Board members to consider.

The first date change to make is: from January 9, 2014 to January 17, 2014.

The second date change to make is: from July 11, 2013 to July 18, 2014.

The third date change to make is: from November 14, 2014 to November 7, 2014.

**Chairman Hansen moved the Drinking Water Board approve the three modified dates of January 9, 2014 to January 17, 2014, July 11, 2013 to July 18, 2014 and November 14, 2014 to November 7, 2014, at this time. As always, those dates are flexible, and we can make appropriate advance notice by public notification.**

**Betty Naylor seconded.**

**CARRIED  
(Unanimous)**

**ITEM NO 11 – RURAL WATER ASSOCIATION'S UPDATE**

Dale Pierson reported that the Rural Water Association of Utah has a contract with the Division of Drinking Water that provides services to the Counties in Utah regarding drinking water issues. We also have another contract that is handled directly with Division staff that is called the Management Technician. The contract at the present time is being handled by Curtis Ludvigson. Curtis has some medical problems, and he will be out for about 2 to 3 months. Coincidentally, we have another project that is funded through EPA, which is our EPA On-Site Training Program. That program is currently unfunded, because of some things that happened in Washington D.C. recently. We have Terry Smith, who works with the EPA contracts, sitting on the sidelines for us. What we will do during the time that Curtis is unable to fill the contract, is have Terry Smith fill Curtis' position while Curtis is recovering from his medical problems. Terry Smith is a very capable person, and he has been with the Rural Water Association of Utah (RWAU) for 6 or 7 years.



Clyde Watkins, RWAU, reported on the Development Program he is managing. He is trying to work a little more on the Non-Public Rule right now, and work more with the Local Health Departments. Specifically the Central Utah Health District has some issues with some very small developments that are further subdivided into smaller subdivision in an attempt to run under the regulatory radar. Clyde reported that Rural Water has actually come up with a document for the local health departments if they want to look at it and get their counties to go with. The document is on our website. Clyde offered to print the document out and give a copy to each one of the Board members, or e-mail a copy of the document to each one of the Board members, to review it. If the Board members want to offer him any feedback on the document, it would be greatly appreciated. The document is based on the Southwest Health Department and the TriCounty Health Department ordinance. Clyde offered to come and see each one of the Board members, if they so wished him to do that.

Dale Pierson mentioned the Rural Water Association of Utah is always there for the Drinking Water Board.

Betty Naylor, on behalf of the Drinking Water Board, thanked the Rural Water Association of Utah for their help and support through the years with the drinking water programs in the State of Utah.

Chairman Hansen asked Clyde if he used anyone's help on development this rule.

Clyde mentioned that he went to each of the District Engineers for their input. He also went to each one of the County Health Departments.

#### ITEM NO. 12 – CHAIRMAN'S REPORT

Chairman Hansen had nothing new to report.

#### ITEM NO. 13 – DIRECTOR'S REPORT

##### a. ASDWA's ANNUAL CONFERENCE REPORT

Ken Bousfield reported that every October there is an Association of State Drinking Water Administrators (ASDWA) Annual Conference with his counterparts throughout the country. Ken reported on some of the things that were covered at the conference, including the following proposed or recently adopted EPA Rules: the Groundwater Rule, the Stage II Disinfection Byproducts Rule, the Consumer Confidence Rule and the revisions to the Total Coliform Rule.

There was also quite a bit of discussion about Water Infrastructure Finance Investment Act (WIFIA). It is a Congressional Act that hasn't been enacted, but it's gaining traction. The proposed Act involves using the Treasury as a source of funding for water projects. The spin on the Act is that the money in the Treasury would be invested in water projects which are very financially reliable. The dollar floor on the projects funded from the Treasury is \$10,000,000. The concern amongst states is that this funding source would replace the federally funded State Revolving Fund (SRF) program. As the Board fully realizes if the SRF program was replaced by WIFIA there would be no money for the small systems that really need the help.

Ken mentioned the California experience where some communities are pumping the highly treated effluent from sewage treatment plants into the ground to serve as a barrier against ocean salt water intrusion. Then as inland wells are pumped there is actually a recycling of the waste water. Ken mentioned that this is required in Southern California because the population has greatly exceeded the natural capacity of the watershed to satisfy the demand of water users. Ken then mentioned that as Utah continues to grow, the demand for water will at some point exceed the ability of the watershed to provide sufficient water. Then we may be utilizing the technology and lessons learned in California.

Chairman Hansen thanked Ken for the updated, and for being able to attend.

#### ITEM NO. 14 – NEXT BOARD MEETING

Chairman Hansen stated that with the revision that was made, the next Drinking Water Board meeting will be held on January 17, 2014 at 1:00 p.m. in DEQ's Board Room, #1015, 195 North 1950 West, Salt Lake City, Utah.

#### ITEM NO. 15 – OTHER

The Board discussed the possibility of having Board meetings in various parts of the State for the purpose of seeing interesting projects including those funded by the Board. Betty Naylor suggested at the January or the May Drinking Water Board meeting to meet at the Jordan Valley Water Treatment Plant, and have an opportunity of going through their plant. They have some nice conference rooms there that we could have our board meetings in.

Heather Jackson reported that she didn't run for re-election for Mayor of Eagle Mountain, and that she will no longer be able to stay on the Drinking Water Board. Natasha Madsen reported that she didn't file for re-election either.

Chairman Hansen thanked both Mayor Jackson and Mayor Madsen for all of their work and dedication while serving on the Drinking Water Board. Chairman Hansen invited both Mayor Jackson and Mayor Madsen back to the next Drinking Water Board meeting.

#### ITEM NO. 16 – ADJOURN

Chairman Hansen stated a motion to adjourn the Drinking Water Board meeting was in order.

**Chairman Hansen moved the Drinking Water Board adjourn their meeting at 2:30 p.m.**

**David Stevens seconded.**

Misty Tabor  
Recording Secretary